

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MARYLEBONE PCC LIMITED – ROSE 2  
FUND, on behalf of itself and all similarly  
situated persons,

Plaintiff,

vs.

MILLENNIUM GLOBAL INVESTMENTS  
LTD., MILLENNIUM ASSET  
MANAGEMENT LTD., MICHAEL R.  
BALBOA, GLOBEOP FINANCIAL  
SERVICES LTD., BCP SECURITIES LLC  
and XYZ CORP.,

Defendants.

Case No. 12-CV-3835 (PAC)

(ECF Case)

**NOTICE OF MOTION FOR  
PRELIMINARY APPROVAL OF THE  
COMBINED CLASS ACTION  
SETTLEMENT OF PLAINTIFF AND (1)  
MILLENNIUM GLOBAL  
INVESTMENTS LTD., MILLENNIUM  
ASSET MANAGEMENT LTD.,  
GLOBEOP FINANCIAL SERVICES  
LLC, GLOBEOP FINANCIAL  
SERVICES LTD., & SS&C  
TECHNOLOGIES, INC.; AND (2) BCP  
SECURITIES LLC.**

Plaintiff Marylebone PCC Limited -- Rose 2 Fund (“Plaintiff”), on behalf of itself and a proposed Settlement Class, respectfully moves the Court, in Courtroom 11D of the Daniel Patrick Moynihan Courthouse at 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for an order preliminarily approving two class action settlements (collectively, the “Combined Settlement”) between Plaintiff and (1) Defendants Millennium Global Investments Ltd., Millennium Asset Management Ltd., GlobeOp Financial Services, LLC, GlobeOp Financial Services Ltd., SS&C Technologies, Inc., (collectively, the “Millennium/GlobeOp Defendants”) as set out in the Stipulation of Settlement between Plaintiff and the Millennium/GlobeOp Defendants dated January 31, 2014 (the “Stipulation”); and (2) BCP Securities LLC (“BCP”) as set out in the Settlement and Release Agreement between Plaintiff and BCP (the “BCP Settling Parties”) dated December 19, 2012 (as amended by the

BCP Settlement Rider dated February 11, 2014) (the “BCP Settlement”) (collectively the “Settlement Agreements”).

The Combined Settlement provides significant monetary benefit – \$14,750,000.00 in cash – to the Settlement Class, plus additional payment of settlement notice and administration expenses as set forth fully in the Settlement Agreements. If approved, the Combined Settlement will resolve all claims against the Millennium/GlobeOp Defendants and BCP.

Plaintiff also requests that this Court approve the form and manner of providing notice of the Combined Settlement to the Proposed Class, and set a hearing date at which the Court will consider final approval of the Combined Settlement, including whether: (i) the Combined Settlement should be approved as fair, reasonable, and adequate; (ii) the Court should grant final certification of the Settlement Class for settlement purposes only and; (iii) to grant the application of Plaintiff’s Counsel for an award of attorneys’ fees and reimbursement of Litigation Expenses incurred to date.

This Motion is based upon: the accompanying Memorandum of Law in Support of Plaintiff’s “Unopposed Motion for Preliminary Approval of the Combined Class Action Settlement of Plaintiff and (1) Millennium Global Investments Ltd., Millennium Asset Management Ltd., GlobeOp Financial Services LLC, GlobeOp Financial Services Ltd., and SS&C Technologies, Inc.; and (2) BCP Securities LLC”; the Declaration of Nicholas Diamand, Esq. dated February 14, 2014 (the “Diamand Declaration”); and the Settlement Agreements and all related exhibits. The Settlement Agreements, Proposed Notice, Proposed Preliminary Approval Order, and Proposed Final Order and Judgment are attached as exhibits to the Diamand Declaration.

Dated: New York, New York  
February 14, 2014

Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN,  
LLP

By: /s/ Steven E. Fineman

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